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Pages: 5

Re: Response to Board Decision

Date: July 09, 2007

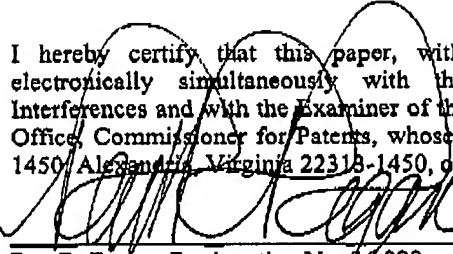
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**U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

I hereby certify that this paper, without a fee, is being filed electronically simultaneously with the Board of Patents and Interferences and with the Examiner of the U.S. Patent and Trademark Office, Commissioner for Patents, whose mailing address is P.O. Box 1450, Alexandria, Virginia 22313-1450, on the 9th day of July, 2007.


Ray R. Regan, Registration No. 88,899

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: Steve B. Taylor
Sole Inventor: Steve B. Taylor
For: A Coupler
Filing Date: June 20, 2003
Application Number: 10/600,379
Attorney Docket Number: 2236.001
Group Art Unit: 3679
Examiner: Victor MacArthur

APPELLANT'S RESPONSE TO DECISION OF BOARD

To: Mail Stop APPEAL BRIEFS-PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

On June 22, 2007 the Board of Patent Appeals and Interferences ("Board") entered the Board's Decision on Appeal in connection with Appeal 2007-1504 involving the appeal of the Examiner's final office action ("Decision").

In the Decision the Board did not sustain the Examiner's rejection of independent claim 11 based on 35 U.S.C. §112, first paragraph, and further held that (i) claims 1-3 do not lack

novelty over U.S. Patent No. 5,697,320 to Murray, and that (ii) claims 4-10 are not *prima facie* obvious.

The Board also held that claims 11-19 were obvious, and *sua sponte* entered a new basis for rejection of dependent claims 20-22.

In addition, on pages 11-12 of the Decision, the Board outlined Appellant's rights to request rehearing and to respond to the Board's new grounds for rejection of claims 20-22.

Appellant hereby notifies both the Board and the Examiner that:

A. Appellant waives Appellant's right to request a rehearing and/or respond to the Board's *sua sponte* rejection of dependent claims 20-22; and

B. Appellant further notifies the Board and the Examiner that Appellant elects to cancel claims 11-22, as shown in the attached Listing of Claims, and to accept the Board's allowance of claims 1-10.

Accordingly, Appellant respectfully urges an early Notice of Allowability.

Respectfully submitted,

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By:

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LISTING OF CLAIMS

1. (Original) A variably positionable coupler mountable on a curved surface, comprising:
a base formed with an upper side and a lower side,
wherein the lower side is a substantially flat planar surface;
means for mounting the base on the curved surface;
a tub adjustably connectable to the base;
a plug repositionably attachable to the tub;
a neck rotatably insertable in the plug,
wherein the neck is formed for securing a shaft to the neck; and
a clevis mechanism slidably and demountably engageable with the plug and the neck.
2. (Original) A variably positionable coupler mountable on a curved surface as recited in claim 1, further comprising opposing yokes monolithically extending at substantially right angles from the upper side of the base.
3. (Original) A variably positionable coupler mountable on a curved surface as recited in claim 2, further comprising one or more bores formed in the base with a proximal end and a distal end, and further wherein the one or more bores are shaped for removable engagement with a bolt.
4. (Original) A variably positionable coupler mountable on a curved surface as recited in claim 3, further comprising a frustoconical recess formed adjacent the proximal end of the one or more bores.
5. (Original) A variably positionable coupler mountable on a curved surface as recited in claim 4, further comprising a concave cup formed adjacent the distal end of the one or more bores.

6. (Original) A variably positionable coupler mountable on a curved surface as recited in claim 1, wherein the mounting means is a plurality of ball washer assemblies.

7. (Original) A variably positionable coupler mountable on a curved surface as recited in claim 6, wherein the plurality of ball washer assemblies includes a second threaded bolt formed with a first diameter.

8. (Original) A variably positionable coupler mountable on a curved surface as recited in claim 7, wherein the plurality of ball washer assemblies includes a ball washer.

9. (Original) A variably positionable coupler mountable on a curved surface as recited in claim 8, wherein the ball washer is formed with a substantially hemispherical exterior surface, an interior surface, and a duct between the substantially hemispherical exterior surface and the interior surface formed with a second diameter larger than the first diameter of second threaded bolt.

10. (Original) A variably positionable coupler mountable on a curved surface as recited in claim 9, further comprising a nut assembly.

11-22. (Canceled)